

**United States District Court**  
**Southern District of Texas**  
**Holding Session in Corpus Christi**

**United States of America**

**v.**

**ABEL GONZALES**

CASE NUMBER: **2:00CR00209-001**

USM NUMBER: 89567-079

Date of Previous Judgment: October 27, 2000  
(Use Date of Last Amended Judgment if Applicable)

Albert Pena  
Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 135 months **is reduced to** time served.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: 29

Amended Offense Level: 25

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 108 to 135 months

Amended Guideline Range: 70 to 87 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain):  
As per defense counsel's recommendation.

**III. ADDITIONAL COMMENTS**

**NIGHTTIME RESTRICTION:** Throughout the period of supervised release, the defendant shall be restricted to his home each night from 12 midnight to 6 a.m., unless other specific arrangements are made with the probation officer.

**INPATIENT DRUG TREATMENT:** The defendant shall participate in an inpatient program for the treatment of drug and/or alcohol addiction, dependency or abuse, to begin immediately upon release from confinement for a period of up to 180 days as directed by the probation officer. The defendant is not permitted to leave the facility during the first 30 days of treatment.

☐ See Additional Comments Continued Sheet

Except as provided above, all provisions of the judgment dated October 27, 2000 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 6, 2008

Janis Graham Jack  
Signature of Judge

**JANIS GRAHAM JACK**

**UNITED STATES DISTRICT JUDGE**  
Name and Title of Judge

Effective Date: \_\_\_\_\_  
(if different from order date)